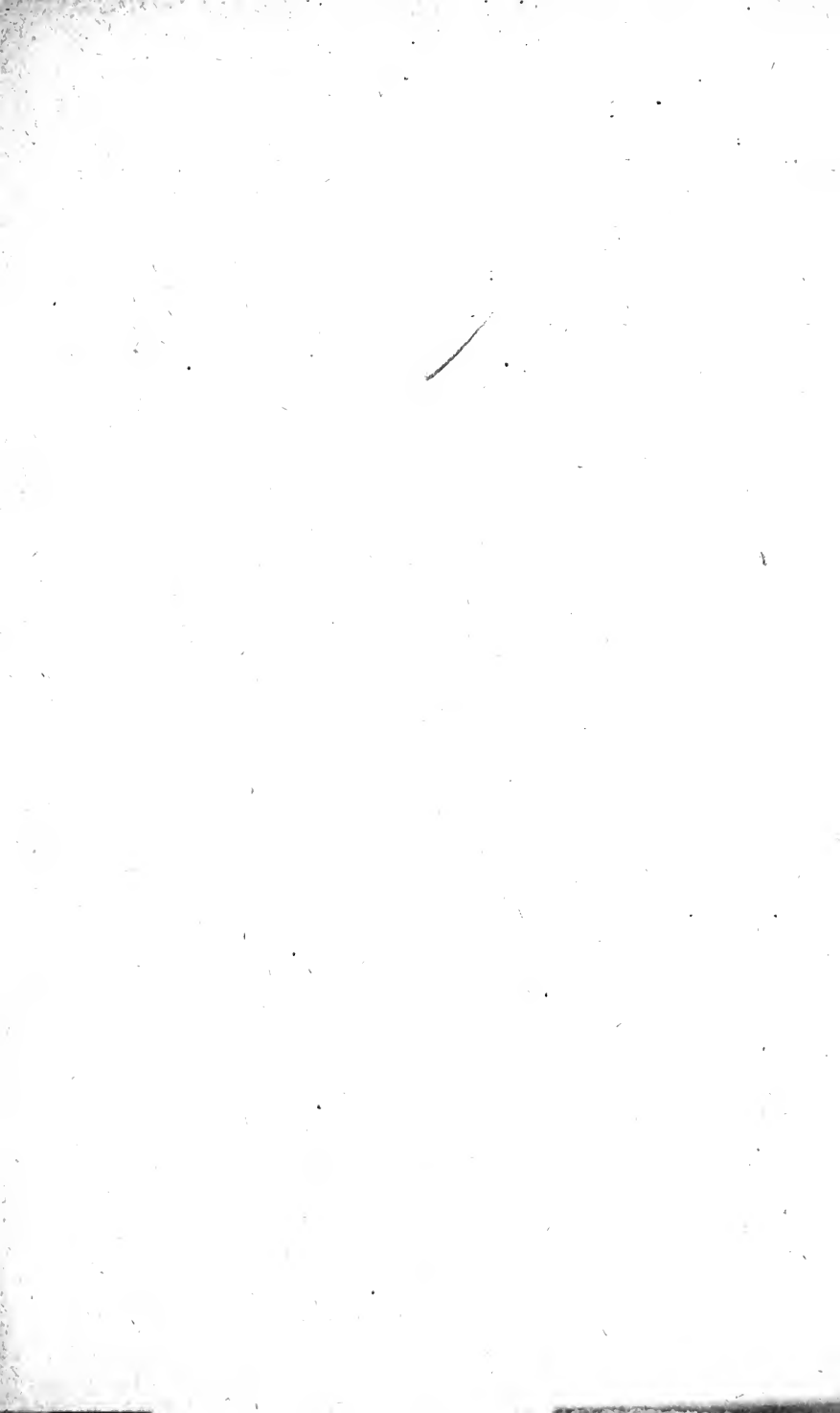


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SHEER TYRANNY.

AN ADDRESS TO THE BISHOP OF LONDON,

AND TO THE

Congregation of *S. Mary Magdalene's Church,*

ON THE

PURCHAS JUDGMENT

AND

REMONSTRANCE.

BY THE

REV. EDWARD STUART, M.A.,

VICAR OF S. MARY MAGDALENE'S CHURCH, MUNSTER SQUARE,
REGENT'S PARK.

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AN ADDRESS.

“Thou shalt not wrest judgment.”—Deut. xvi. 19.

WHEN authority ceases to respect truth and justice, it ceases to be respected itself. When it attempts to erect itself into a tyranny, disobedience becomes a duty. It is a sore trial for those who desire to “submit themselves to every ordinance of man for the LORD’s sake;” it is a sore trial for those who wish to act in the spirit of the fifth commandment; but it is a trial which has now come upon us; it is a trial which our forefathers have had to bear in their day; and we must not shrink from it.

Constitutional and lawful authority is based upon freedom of mind and conscience, and is strong on this base. It consults the reason and the conscience of those whom it governs, and does not attempt to impose upon them laws of its own absolute will and pleasure. Tyranny does attempt this; and therefore it is always weak in the hour of trial, because it finds no support in the hearts and minds of free men.

Suppose for one moment that our own constitutional government *in State* was to attempt to erect itself into a tyranny—that Parliament, including Queen, Lords, and Commons, was to attempt to impose on Englishmen its own decrees *irrespective of their consent*, irrespective of their remonstrances, irrespective of anything except its own arbitrary absolute will and pleasure. In such a case Parliament would enjoy a very short tenure indeed of authority. The strength of Parliament lies in its sympathy with the mind and conscience of those whom it governs, and in its readiness to reconsider at all times any act hastily or injudiciously passed.

And as with Parliament, so with the Church Catholic, its authority rests not upon the edicts of any absolute authority, but upon the free and intelligent acceptance of its decrees

by the whole body of Christians. Its motto is not "Securus judicat Papa," but "Securus judicat orbis terrarum."

If Parliament refused to listen to the remonstrance of those whom its acts injured, Parliament would not live long. And just so, ever since the Papacy has tried to impose its own authority upon the Church irrespective of Catholic consent, it has waned and dwindled away. Let us thank GOD that Protestants were found ready to suffer all things for the sake of religious freedom at the Reformation, even though in our own day Protestantism has become little more than a system of negation and a symbol of unbelief. Let us thank GOD that Puritans were found ready to die for civil and religious liberty in the reign of Charles the First, however odious in many respects we may consider the character of Puritanism to be. The Reformers withstood Papal tyranny in their day; the Puritans withstood regal tyranny in the days of Charles the First; each said in his day, "This thing is unjust and a lie, and, come what may, please GOD, we will not submit to it."

Now the Judicial Committee of the Privy Council is attempting to erect itself into just such a tyranny at present. It has given a judgment in matters affecting public worship, and though five thousand clergymen, representing fifty, or five hundred thousand, or more, of the laity of the Church, have signed a remonstrance expressing their strong sense of injustice at this judgment, and begging that it may be reconsidered, the Judicial Committee, acting in the true spirit of tyranny, has refused to listen to their remonstrance, has laughed them to scorn, has told them they have nothing to do but to go and obey, whether they like it or no. But Englishmen are not accustomed to be governed in this way, and, please GOD, they will not be governed so now.

If we are obliged to submit to whatever the Judicial Committee pleases to decree, right or wrong, just or unjust, then we might as well have remained under the bondage of Rome as have fallen under this present bondage. If we are to be allowed no voice or conscience in the matter, then I think the Popery of Rome is not one atom worse than this Popery, this arbitrary, absolute authority, which the Judicial Committee is now trying to establish. We might just as well sacrifice our conscience and our reason to the one as to the other.

My own desire (as those who know me know well) has

always been to take *authority* as my guide. The rubric of the Prayer Book, interpreted in the light of Catholic consent,—this is the only rule I have ever followed in matters relating to my own special duty and profession as a clergyman. It is true that I have always resisted, and always will resist, the arrogance of individual Bishops, attempting to substitute their own will for the law of the Church of England; but that law I have at all times honestly and sincerely endeavoured to obey. I have hoped, I have wished that I could obey this present judgment; I have expressed my determination beforehand to do so; for I never dreamt that so flagrant an outrage on truth and justice would be attempted in a free country as this present iniquitous decision of the Judicial Committee. I may fairly claim to be believed in saying this, for I did at once, to my own great regret, submit to their decision against the use of Lights and Incense a few years ago, though I fully believe that to have been an unjust judgment too, a judgment which could not be maintained for one moment if the same known principles of interpretation were applied to the Act of Parliament authorizing the First Book of Edward the Sixth, which are applied to all other Acts of Parliament. I submitted at once to that judgment because the authority for Lights and Incense does not lie so plainly on the surface of the Prayer Book as not to excite some doubt on the subject.

But the present judgment is a different matter. It is such an outrage on truth and common sense, that those who submit to it must make up their minds to part with all free exercise of reason and conscience in their ministry for the future. This I will not, and cannot do. I will gladly submit to all reasonable authority, but I will not be the blind slave of a tyranny; I will not aid in its establishment among us; I will not submit to its decrees. I would as soon submit to the spiritual tyranny of the Pope of Rome, as to this tyranny which the Judicial Committee is now trying to establish among us. And if we are told that we are bound to submit to the judgment of every lawfully appointed judge, I say very distinctly, in reply, that I do not think we are so bound, when we see plainly that judges are acting in a cowardly and time-serving spirit, or in an arrogant and tyrannical spirit. Pontius Pilate was a lawfully appointed judge,—as lawfully appointed as any member of the Judicial Committee,—was his judgment therefore to be

upheld as just? To the Judicial Committee then which has provoked this contest by its injustice, one can only say, "God Almighty judge between me and thee."

For what is it that the Committee call on us to believe? They call on us to believe two things:—1st. That when the rubric says, "Such Ornaments of the Church, and Ministers thereof, at all times of their ministration, shall be retained and be in use, as were in this Church of England, by authority of Parliament, in the second year of the reign of King Edward the Sixth," that when the rubric says this, (and every one may read it in his Prayer Book for himself,) yet that such ornaments must *not* be retained and be in use! "Authority of Parliament in the second year of the reign of Edward the Sixth," has been shown, fairly enough, to mean an Act of Parliament passed at the end of that year and referred to as an Act of the second year of Edward. That Act authorised the first Prayer Book of Edward; and that Prayer Book says as follows: "Upon the day, and at the time appointed for the ministration of the Holy Communion, the Priest that shall execute the Holy Ministry, shall put upon him the vesture appointed for that ministration, that is to say, a white albe plain, with a vestment, or cope," &c. If therefore two and two make four, it is plain that the rubric of the Prayer Book now authorises the use of the albe and vestment. But the Judicial Committee wishes us to believe that it does not do this! It tries to mystify the question by talking of matters *subsequent* to the second year of King Edward, though the rubric itself says nothing whatever about anything *subsequent* to the second year of Edward, but refers us simply and in so many words to the second year itself! Which then shall we obey? the Prayer Book, or the Judicial Committee? For myself, I intend to obey the Prayer Book.

2nd. The Judicial Committee calls on us to believe, that, when the rubric says, "The Priest standing *before* the table," &c., it does not mean "*before* the table," but means "at *one end* of the table!" Most wonderful outrage on common sense! "Before" does *not* mean "before;" it means "at one end;"—black is *not* black, but white; white is *not* white, but black,—when the Judicial Committee says so! Dean Stanley, who probably does not care very much about these things, suggests in a letter to the *Guardian*, (per-

haps in ridicule of the monstrous absurdity of this judgment,) that we may, if we please, interpret “*before* the table” to mean “*behind* the table!” And so I think we may, just as reasonably as we could accept the Judicial Committee’s judgment. For my own part, I believe that “*before* the table” means simply “*before* the table,” and not behind it, or at one end of it; and as I have always stood before the table at the Consecration Prayer, so I will continue to do. I had rather obey the Prayer Book in the plain, grammatical, common sense interpretation of its language, than obey the mystified and mystifying judgment of the Judicial Committee.

But not only does the Judicial Committee call on us to believe these two monstrous absurdities—these two outrages on truth and common sense—but it would fain add tyranny to injustice. It scoffs at a remonstrance signed by 5,000 clergy, refuses to reconsider its judgment, and tells them there is no appeal, no hope for them but to accept and obey its decision, true or false! Please GOD, we will neither accept nor obey it. It is a tyranny which is now sought to be established in the midst of us; a tyranny which turns a deaf ear to the reason and conscience of its subjects, a tyranny which believes itself secure, as tyrants always do, in possession of the seat of authority, forgetting that the only sure foundation for that seat is in truth and justice, and in the willing support of free and intelligent minds. I do say, that if any such tyranny were attempted to be exercised in a matter of rates and taxes there would be a rebellion tomorrow from Berwick-on-Tweed to the Land’s End. The Queen might continue to attend marriages in Lent, and give balls at Balmoral on Good Friday, but she would have to do it as a private person—she would be Queen of England no longer.

It is a tyranny, a gross violation of religious liberty and constitutional government in the Church of England, which the Judicial Committee is now trying to set up in our midst. Five thousand clergy, representing fifty, or five hundred thousand, or more, of the laity, *have a right to be heard* when they offer a solemn remonstrance against a hasty judgment. Five thousand responsible persons in any other profession or trade, representing a much larger number of persons interested in it, would either be listened to with respect by our Judges and Courts and Parliaments, or those Judges, Courts, and Parliaments would find their days numbered. It is a

gross tyranny to attempt to rule without regard to the conscience and reason of those ruled; and England is not a congenial soil for tyrannies to develop in.

I have tried to think that these two questions are trifling and indifferent matters, and so to acquiesce in them in this sense—but it will not do. They are not indifferent matters. For twenty years now I have been endeavouring, along with hundreds and thousands of others, to restore the Eucharist to its proper place as the chief and central act of Christian worship. To give up these two points now would be to give up the whole matter. I will not do this. It has been suggested to me that this is a judgment “in personam” and not “in rem;”—that is to say, that it forbids Mr. Purchas alone from standing “before the table,” and Mr. Purchas alone from wearing albe and chasuble,—but that it does not forbid any one else from doing so!—I pity those who can listen to so transparent a sophistry.¹—In another quarter a cry has been raised for “connivance” at these things, acknowledging them apparently to be wrong.—I desire no such connivance.—I believe them to be *right*,—strictly, absolutely, and unquestionably right, or I would not do them.—From the bottom of my heart I believe them to be right;—I believe them to be the only plain and honest interpretation of the rubric; and I cannot therefore, and I will not, do violence to my reason and conscience by accepting the judgment which has been given against them. If I am turned out of the Church of England for refusing to accept those outrages on common sense which a tyrannical oligarchy is now trying to force upon us—if I am turned out of the Church of England for obeying the rubrics of the Prayer Book in their plain, literal, grammatical sense—so be it; in that case I submit to force, and summon those unjust judges to meet me before the Judgment Seat of CHRIST: but willingly and knowingly, please GOD, I will not consent to their judgment.

Now do not think these words are mere hectoring and vapouring. I have as great a contempt, I hope, for mock heroics and mock martyrdom as most other Englishmen. I have counted the cost, and mean to abide by the consequences, and I suppose those consequences may be as follows.

¹ I stand corrected on this point. What I meant was, that this Judgment must *ultimately* affect the whole Church, if not resisted.

I may receive a monition to obey this judgment—that monition I shall refuse to attend to. I may be brought before the Judicial Committee itself, and suspended for a month, or a year, or several years;—the first Sunday after that suspension is ended I will again administer the Sacrament in albe and chasuble, “standing *before* the table,” as the Prayer Book bids me do. I may be deprived of my living, (it has never been any great gain to me,) but if my voice is silenced by unjust judges in the Church of England, a hundred other voices will be raised in its place. If the Judicial Committee really believes that English Clergymen care more for place and pay than for principle, I think they will be undeceived. I may be fined—I will not pay the fine. I may be thrown into prison—I am ready to go there. I may have every farthing I possess confiscated, and die in the workhouse;—in opposition to injustice and tyranny, I will thank GOD for so happy a death.

My dear friends of the congregation of S. Mary Magdalene’s Church, do not think this is mere talk—I *mean* what I say.

The Judicial Committee is trying to force an unjust judgment upon us.—It is trying to compel us to submit to it by sheer tyranny.—To their unjust judgment I will not consent:—to their tyranny I will not submit:—So help me GOD.

EDWARD STUART.

*Vicar of S. Mary Magdalene’s Church,
S. Pancras.*

May 7, 1871.

A copy of this address will be sent at once to every member of each house of Convocation, and to every member of each house of Parliament.

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